

New Rule Summary: In an effort to consolidate and simplify the Division's many draw application processes, the division is removing all drawing procedures from the individual specie rules and placing them collectively in one rule. This will remove unnecessary repetition of text and provide a concise overview of the processes in one rule. This proposed rule does not change any drawing processes currently in place.

R657. Natural Resources, Wildlife Resources.

R657-62. Drawing Application Procedures.

R657-62-1. Purpose and Authority.

(1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for drawing applications and procedures.

(2) Specific season dates, bag and possession limits, areas open, number of permits and other administrative details that may change annually are published in the respective guidebooks of the Wildlife Board.

R657-62-2. Definitions.

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Application" means a form required by the Division which must be completed by a person and submitted to the Division in order to apply for a hunting permit.

(b) "Immediate family" means the landowner's lessee, or the landowner's or lessee's spouse, children, son-in-law, daughter-in-law, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, stepchildren, and grandchildren.

(c) "Landowner" means any individual, family or corporation who owns property in Utah and whose name appears on the deed as the owner of eligible property or whose name appears as the purchaser on an executed contract for sale of eligible property.

(d) "Limited entry hunt" means any hunt listed in the hunt tables published by the Wildlife Board and is identified as a premium limited entry hunt or limited entry hunt. "Limited entry hunt" does not include cougar or bear pursuit.

(e) "Limited entry permit" means any permit obtained for a limited entry hunt, including conservation permits and sportsman permits.

(f)(i) "Valid application" means an application:

(A) for a permit to take a species for which the applicant is eligible to possess;

(B) for a permit to take a species regardless of estimated permit numbers; and

(C) containing sufficient information, as determined by the division, to process the application, including personal information, hunt information, and sufficient payment.

(ii) Applications missing any of the items in Subsection (i) may be considered valid if the application is timely corrected through the application correction process.

(g) "Waiting period" means a specified period of time that a person who has obtained a permit must wait before applying for the same permit type.

R657-62-3. Scope of Rule.

(1) This rule sets forth the procedures and requirements for completing and filing

applications to receive the following hunting permits and/or certificate of registrations:

- (a) Limited entry:
 - (i) deer;
 - (ii) elk;
 - (iii) pronghorn;
 - (iv) bear;
 - (v) cougar;
 - (vi) wild turkey;
- (b) Public cooperative wildlife management unit;
- (c) Once-in-a-lifetime;
- (d) General season deer and elk;
- (e) Antlerless big game;
- (f) Swan;
- (g) Sandhill crane;
- (h) Muskrat;
- (i) Sharp-tail and sage grouse; and
- (j) Dedicated Hunter Certificates of Registration.

R657-62-3. Residency Restrictions.

(1) Only a resident may apply for or obtain a resident permit and/or certificate of registration and only a nonresident may apply for or obtain a nonresident permit and/or certificate of registration.

(2)(a) To apply for a resident permit and/or certificate of registration, a person must be a resident at the time of purchase.

(b) The posting date of the drawing shall be considered the purchase date of a permit and/or certificate of registration issued through a drawing.

R657-62- 4. Applications.

(1)(a) Applications are available at the division's internet address, and must be completed and submitted online by the date prescribed in the respective proclamation of the Wildlife Board.

(b) The permit fees and handling fees must be paid pursuant to Rule R657-42-8

(c) Any license or permit issued to a person is invalid where full payment is not remitted to and received by the division.

(d) A person who applies for or obtains a permit and/or certificate of registration must notify the division of any change in mailing address, residency, telephone number, and physical description.

R657-62-5. Group Applications.

(1)(a) Group applications are accepted for all species except:

- (i) wild turkey;
- (ii) black bear;
- (iii) Once-in-a-Lifetime;
- (iv) cougar;
- (v) management bull elk; and

(vi) management buck deer.

(2)(a) Up to four people may apply together for premium limited entry, limited entry, and resident cooperative wildlife management unit deer, elk or pronghorn permits in the big game drawing and in the antlerless drawing.

(b) Up to two youth may apply together for youth general any bull elk permits in the big game drawing.

(c) Up to ten people may apply together for general deer permits in the big game drawing.

(d) Up to four people may apply together for swan, sandhill crane, sharp-tail grouse or sage grouse permits.

(e) Youth applicants who wish to participate in the youth general buck deer drawing process as provided in Subsection R657-5-27(4), or the youth antlerless drawing process as provided in Subsection R657-5-59(3), may not apply as a group.

(3) When applying as a group:

(a) all applicants in the group with valid applications and eligible to possess the permit or certificate of registration applied for shall receive a permit or certificate of registration where the group is successful in the drawing;

(b) all applicants in the group will be rejected where one species is applied for and the group is rejected due to a fee error; and

(c) individual member applications with errors, other than fees, will be rejected without affecting the valid applications of other members in the group, unless the group indicates on the application that all members are to be rejected.

R657-62-6. Corrections, Withdrawals and Resubmitting Applications.

(1) (a) If an error is found on the application, the applicant may be contacted for correction.

(b) The division reserves the right to correct applications.

(2)(a) An applicant may withdraw their application from the permit drawing by the date published in the respective proclamation of the Wildlife Board.

(b) Handling fees and hunting or combination license fees will not be refunded.

(3)(a) An applicant may amend their application for the permit drawing by resubmitting an application by the date published in the respective proclamation of the Wildlife Board.

R657-62-7. Drawing Results.

Applicants will be notified by mail or e-mail of drawing results by the date prescribed in the respective proclamation of the Wildlife Board.

R657-62-8. Permits Remaining after the Draw.

(1) Any permits remaining after the drawing are available on the date published in the respective proclamation on a first-come, first-served basis from division offices, participating license agents and through the division's internet site.

(2) Waiting periods do not apply to the purchase of remaining permits. However, waiting periods are incurred as a result of purchasing remaining permits.

R657-62-9. Bonus Point System.

(1) Bonus points are used to improve odds for drawing permits.

(2)(a) A bonus point is awarded for:

(i) each valid unsuccessful application for limited entry permits in the big game, antlerless moose, bear, cougar or turkey drawing; or

(ii) each valid application for a bonus point in the big game, antlerless moose, bear, cougar or turkey drawing.

(b) Bonus points are awarded by species to unsuccessful applicants for:

(i) premium limited entry, limited entry and cooperative wildlife management unit buck deer;

(ii) premium limited entry, limited entry, management bull elk, and cooperative wildlife management unit bull elk;

(iii) limited entry and cooperative wildlife management unit buck pronghorn;

(iv) all once-in-a-lifetime species;

(v) antlerless moose;

(vi) black bear;

(vii) limited entry cougar; and

(viii) limited entry wild turkey.

(3) A person may apply for a bonus point for:

(a) one of the following species:

(i) buck deer - premium limited entry, limited entry and cooperative wildlife management unit;

(ii) bull elk - limited entry, management and cooperative wildlife management unit; or

(iii) buck pronghorn - limited entry and cooperative wildlife management unit;

(iv) antlerless moose.

(b) one once-in-a-lifetime species, including once-in-a-lifetime cooperative wildlife management unit;

(c) black bear;

(d) cougar; and

(e) wild turkey.

(4)(a) A person may not apply in the drawing for both a premium limited entry or limited entry bonus point and a premium limited entry or limited entry permit.

(b) A person may not apply in the drawing for a once-in-a-lifetime bonus point and a once-in-a-lifetime permit.

(c) A person may not apply in the drawing for an antlerless moose bonus point and an antlerless moose permit.

(d) A person may not apply for a bonus point if that person is ineligible to apply for a permit for the respective species.

(e) A person may apply for bonus points only in the limited entry big game, antlerless moose, bear, cougar and turkey drawings.

(f) Group applications will not be accepted when applying for bonus points.

(5)(a) Fifty percent of the permits for each hunt unit and species will be reserved for applicants with the greatest number of bonus points.

(b) Based on the applicant's first choice, the reserved permits will be designated by a random drawing number to eligible applicants with the greatest number of bonus points for each species.

(c) If reserved permits remain, the reserved permits will be designated by a random number to eligible applicants with the next greatest number of bonus points for each species.

(d) The procedure in Subsection (c) will continue until all reserved permits are issued or no applications for that species remain.

(e) Any reserved permits remaining and any applicants who are not selected for reserved permits will be returned to the drawing.

(6)(a) Each applicant receives a random drawing number for:

(i) each species applied for; and

(ii) each bonus point for that species.

(7) Bonus points are forfeited if a person obtains a permit through the drawing for that bonus point species as provided in Subsection (2)(c), including any permit obtained after the drawing.

(8) Bonus points are not forfeited if:

(a) a person is successful in obtaining a conservation permit or sportsman permit;

(b) a person obtains a landowner or a cooperative wildlife management unit permit from a landowner; or

(c) a person obtains a poaching-reported reward permit.

(9) Bonus points are not transferable.

(10) Bonus points are averaged and rounded down when two or more applicants apply together on a group application.

(11)(a) Bonus points are tracked using social security numbers or division-issued customer identification numbers.

(b) The division shall retain electronic copies of applications from 1996 to the current big game drawing for the purpose of researching bonus point records.

(c) Any requests for researching an applicant's bonus point records must be submitted within the time frames provided in Subsection (b) and (c).

(d) Any bonus points on the division's records shall not be researched beyond the time frames provided in Subsection (b) and (c).

(e) The division may void or otherwise eliminate any bonus point obtained by fraud, deceit, misrepresentation, or in violation of law.

R657-62-10. Preference Points.

(1) Preference points are used in the general season big game and antlerless drawings to ensure that applicants who are unsuccessful in a current-year drawing will have a preference in the following year's drawing.

(2)(a) A preference point is awarded for:

(i) each valid, unsuccessful application for a general buck deer, antlerless deer, antlerless elk, doe pronghorn permit, or Dedicated Hunter Certificate of Registration; or

(ii) each valid application for a preference point in the big game, antlerless or Dedicated Hunter drawing.

(b) Preference points are awarded by species for:

- (i) general buck deer;
- (ii) antlerless deer;
- (iii) antlerless elk; and
- (iv) doe pronghorn.

(3)(a) A person may not apply in the drawing for both a preference point and a permit for the species listed in (2)(b).

(b) A person may not apply for a preference point if that person is ineligible to apply for a permit.

(c) Preference points will not be forfeited when obtaining remaining permits after the big game or antlerless drawing.

(4)(a) General buck deer preference points are forfeited if a person obtains a general buck deer permit through the drawing.

(b) Antlerless deer preference points are forfeited if a person obtains an antlerless deer permit through the drawing.

(c) Antlerless elk preference points are forfeited if a person obtains an antlerless elk permit through the drawing.

(d) Doe pronghorn preference points are forfeited if a person obtains an doe pronghorn permit through the drawing.

(5)(a) Preference points are not transferable.

(b) Preference points shall only be applied to the big game and antlerless drawings for general buck deer permits and antlerless deer, elk, and pronghorn permits respectively.

(6) Preference points are averaged and rounded down when two or more applicants apply together on a group application.

(7)(a) Preference points are tracked using social security numbers or customer identification numbers.

(b) The division shall retain copies of electronic applications from 2000 to the current big game drawing for the purpose of researching preference point records.

(c) Any requests for researching an applicant's preference point records must be submitted within the time frames provided in Subsection (b) and (c).

(d) Any preference points on the division's records shall not be researched beyond the time frames provided in Subsection (b) and (c).

(e) The division may eliminate any preference point obtained by fraud, deceit, misrepresentation, or in violation of law.

R657-62-11 Waiting Periods.

(1) Bear waiting period.

(a) Any person who draws or purchases a bear permit valid for the current season, may not apply for a permit thereafter for a period of two seasons.

(2) Cougar waiting period.

(a) Any person who draws or purchases a limited entry cougar permit valid for the current season may not apply for a permit thereafter for a period of three seasons.

(b) Waiting periods are not incurred as a result of purchasing cougar harvest objective permits.

(3) Deer waiting period.

(a) Any person who draws or obtains a premium limited entry, limited entry or cooperative wildlife management unit buck deer permit through the big game drawing process, may not apply for or receive any of these permits again for a period of two seasons.

(b) A waiting period does not apply to:

(i) general archery, general any weapon, general muzzleloader, antlerless, conservation, sportsman, poaching-reported reward and dedicated hunter limited entry deer permits; or

(ii) cooperative wildlife management unit or limited entry landowner buck deer permits obtained through the landowner.

(4) Elk waiting period.

(a) Any person who draws or obtains a premium limited entry, limited entry or cooperative wildlife management unit bull elk permit through the big game drawing, may not apply for or receive any of these permits for a period of five seasons.

(b) A waiting period does not apply to:

(i) general archery, general any weapon, general muzzleloader, antlerless, conservation, sportsman, poaching-reported reward elk permits; cooperative wildlife management unit spike bull elk permits; and dedicated hunter limited entry elk permits; or

(ii) cooperative wildlife management unit or limited entry landowner bull elk permits obtained through the landowner.

(5) Pronghorn waiting period.

(a) Any person who draws or obtains a buck pronghorn or cooperative wildlife management unit buck pronghorn permit through the big game drawing, may not apply for or receive any of these permits thereafter for a period of two seasons.

(b) A waiting period does not apply to:

(i) doe, conservation, sportsman, and poaching-reported reward pronghorn permits; or

(ii) cooperative wildlife management unit or limited entry landowner buck pronghorn permits obtained through the landowner.

(6) Antlerless moose waiting period.

(a) Any person who draws or obtains an antlerless moose permit or a cooperative wildlife management unit antlerless moose permit through the antlerless drawing process, may not apply for or receive an antlerless moose permit thereafter for a period of five seasons.

(b) A waiting period does not apply to cooperative wildlife management unit antlerless moose permits obtained through the landowner.

(7) Once-in-a-lifetime species waiting period.

(a) Any person who draws or obtains a permit for any bull moose, bison, Rocky Mountain bighorn sheep, desert bighorn sheep or Rocky Mountain goat may not apply for or receive an once-in-a-lifetime permit for the same species in the big game drawing or sportsman permit drawing.

(b) A person who has been convicted of unlawfully taking a once-in-a-lifetime species may not apply for or obtain a permit for that species.

(8) Permits remaining after the drawing.

(a) Waiting periods provided in Subsections (1) through (7) do not apply to the purchase of remaining permits sold over the counter after the drawing.

(b) Waiting periods are incurred as a result of purchasing remaining permits after the drawing and the applicable waiting period will determine eligibility to participate in future drawings for the same species.

_____ (9) Cooperative Wildlife Management Unit and landowner permits.

(a) Waiting periods and once-in-a-lifetime restrictions do not apply to purchasing limited entry landowner or cooperative wildlife management unit permits obtained through a landowner, except as provided in Subsection (b).

(b) Waiting periods are incurred and applied for the purpose of applying in the big game drawing as a result of obtaining a cooperative wildlife management unit bull moose permit through a landowner.

R657-62-12. License, permit and handling fees .

(1) Unsuccessful applicants will not be charged for a permit or certificate of registration.

_____ (2) The handling fees and hunting or combination license fees are nonrefundable.

R657-62-13. Hunting on Private Lands

Any person who applies for a hunt that occurs on private land is responsible for obtaining written permission from the landowner to access the property. The division does not guarantee access and cannot restore lost opportunity, bonus points, or permit fees when access is denied. Hunters should contact private landowners for permission to access their land prior to applying for a permit. The Division does not have the names of landowners where hunts occur.

R657-62-14. General Application Information by Species.

_____ (1) Limited entry bear permit applications.

_____ (a) A person must possess or obtain a valid hunting or combination license in order to apply for or obtain a limited entry bear permit.

(b) A person may not apply for or obtain more than one bear permit within the same calendar year, except as provided in Subsection R657-33-26(4).

(c) Limited entry bear permits are valid only for the hunt unit and for the specified season designated on the permit.

(d)(i) Applicants may select up to three hunt unit choices when applying for limited entry bear permits. Hunt unit choices must be listed in order of preference.

(ii) Applicants must specify on the application whether they want a limited entry bear permit or a limited entry bear archery permit.

(A) The application may be rejected if the applicant does not specify either a limited entry bear permit or limited entry bear archery permit.

(B) Any person obtaining a limited entry bear archery permit must also obtain a certificate of registration if intending to use bait as provided in Section R657-33-14.

_____ (2) Antlerless big game permit applications.

(a) A person may apply in the drawing for, and draw the following permits, except as provided in Subsection (c):

- (i) antlerless deer;
- (ii) antlerless elk;
- (iii) doe pronghorn; and
- (iv) antlerless moose, if available.

(b) A youth may apply in the antlerless drawing as provided in this Subsection and Subsection R657-5-59(3).

(i) For purposes of this section, "youth" means any person 18 years of age or younger on the opening day of the general archery buck deer season.

(ii) Twenty percent of the antlerless deer, elk and doe pronghorn permits are reserved for youth hunters.

(iii) Youth hunters who wish to participate in the youth drawing must:

(A) submit an application in accordance with Section R657-5-57; and

(B) not apply as a group.

(iv) Youth applicants who apply for an antlerless deer, elk, or doe pronghorn permit as provided in this Subsection, will automatically be considered in the youth drawing based upon their birth date.

(c) Any person who has obtained a buck pronghorn permit or a bull moose permit may not apply in the same year for a doe pronghorn permit or antlerless moose permit, respectively, except for permits remaining after the drawing as provided in Section R657-5-61.

(d) A person may not submit more than one application in the antlerless drawing per species.

(e) Permits are drawn in the order listed in the Antlerless Addendum to the Bucks, Bulls and Once-In-A-Lifetime proclamation of the Wildlife Board for taking big game.

(f) Any reserved permits remaining and any youth applicants who were not selected for reserved permits shall be returned to the antlerless drawing.

(g) If permits remain after all choices have been evaluated separately for residents and nonresidents, a second evaluation will be done allowing cross-over usage of remaining resident and nonresident permit quotas.

(3) Sandhill Crane permit applications.

(a) A person may obtain only one Sandhill Crane permit each year.

(b) A person may not apply more than once annually.

(c) A hunting or combination license may be purchased before applying, or the hunting or combination license will be issued upon successful drawing results. Fees must be submitted with the application.

(4) Swan permit applications.

(a) A person may obtain only one swan permit each year.

(i) A person may not apply more than once annually.

(b) A Utah hunting or combination license may be purchased before applying, or the hunting or combination license will be issued to the applicant upon successfully drawing a permit.

(c) The division shall issue no more than the number of swan permits authorized by the U.S. Fish & Wildlife Service each year.

(i) The division may withhold up to 1% of the authorized number of swan permits

each year to correct division errors, which may occur during the drawing process.

(ii) Division errors may be corrected using the withheld swan permits in accordance with the Division Error Remedy Rule R657-50.

(iii) Withheld swan permits shall be used to correct division errors reported to or discovered by the division on or before the fifth day preceding the opening day of the swan hunt.

(iv) Withheld swan permits remaining after correcting any division errors shall be issued prior to the opening day of the swan hunt to the next person on the alternate drawing list.

(d) A person must complete a one-time orientation course before applying for a swan permit, except as provided under Subsection R657-9-7(3)(b).

(i) Remaining swan permits available for sale shall be issued only to persons having previously completed the orientation course.

(e) Licenses and permits are mailed to successful applicants.

(4) Limited entry cougar permit applications.

(a) A person must possess or obtain a valid hunting or combination license to apply for or obtain a cougar limited entry permit.

(b) A person may not apply for or obtain more than one cougar permit for the same year.

(c) Limited entry cougar permits are valid only for the limited entry management unit and for the specified season provided in the hunt tables of the proclamation of the Wildlife Board for taking cougar.

(d) Applicants may select up to three management unit choices when applying for limited entry cougar permits. Management unit choices must be listed in order of preference.

(e) If permits remain after all choices have been evaluated separately for residents and nonresidents, a second evaluation shall be done allowing cross-over usage of remaining resident and nonresident permit quotas.

(f) Any limited entry cougar permit purchased after the season opens is not valid until seven days after the date of purchase.

(5) Sportsman permit applications.

(a) One sportsman permit is offered to residents for each of the following species:

(i) desert bighorn (ram);

(ii) bison (hunter's choice);

(iii) buck deer;

(iv) bull elk;

(v) Rocky Mountain bighorn (ram);

(vi) Rocky Mountain goat (hunter's choice);

(vii) bull moose;

(viii) buck pronghorn;

(ix) black bear;

(x) cougar; and

(xi) wild turkey.

(b) Bonus points shall not be awarded or utilized when applying for or obtaining sportsman permits.

(c) Any person who applies for or obtains a Sportsman Permit is subject to all waiting periods and exceptions as applicable to the species.

(6) Turkey permit applications.

(a) Applicants may select up to three hunt choices when applying for limited entry turkey permits. Hunt unit choices must be listed in order of preference.

(b) A person must possess a valid hunting or combination license in order to apply for or obtain a wild turkey permit.

(c) A person may obtain only one wild turkey permit each year, except a person may obtain wild turkey conservation permits in addition to obtaining one limited entry or remaining wild turkey permit.

(d) A person may not apply for wild turkey more than once annually.

(e) A turkey permit allows a person, using any legal weapon as provided in Section R657-54-7, to take one bearded turkey within the area and season specified on the permit.

(7) Premium Limited Entry, Limited Entry, Cooperative Wildlife Management Unit, Once-In-A-Lifetime, Management Bull Elk, General Buck Deer, General Muzzleloader Elk and Youth General Any Bull Elk permit applications.

(a) A person must possess or obtain a valid hunting or combination license to apply for or obtain a big game permit.

(b) A person may obtain only one permit per species of big game, including premium limited entry, limited entry, cooperative wildlife management unit, once-in-a-lifetime, conservation, sportsman, landowner and general permits, except antlerless permits as provided in the Antlerless Addendum and permits as provided in Rule R657-42.

(c) A resident may apply in the big game drawing for the following permits:

(i) only one of the following:

(A) buck deer - premium limited entry, limited entry and cooperative wildlife management unit;

(B) bull elk - premium limited entry, limited entry and cooperative wildlife management unit; or

(C) buck pronghorn - limited entry and cooperative wildlife management unit; and

(ii) only one once-in-a-lifetime permit, including once-in-a-lifetime cooperative wildlife management unit permits, except as provided in Section R657-5-64(2)(b).

(d) A nonresident may apply in the big game drawing for the following permits:

(i) only one of the following:

(A) buck deer - premium limited entry and limited entry;

(B) bull elk - premium limited entry and limited entry; or

(C) buck pronghorn - limited entry; and

(ii) only one once-in-a-lifetime permit.

(e) A resident or nonresident may apply in the big game drawing for:

(i) a statewide general archery buck deer permit;

(ii) by region for general any weapon buck deer; or

- (iii) by region for general muzzleloader buck deer.
- (f) A person may not submit more than one application per species as provided in Subsections (c) and (d), and Subsection (e) in the big game drawing.
- (g) Permits for the big game drawing shall be drawn in the following order:
- (i) premium limited entry, limited entry and cooperative wildlife management unit buck deer;
- (ii) premium limited entry, limited entry and cooperative wildlife management unit bull elk;
- (iii) limited entry and cooperative wildlife management unit buck pronghorn;
- (iv) once-in-a-lifetime;
- (v) youth general buck deer;
- (vi) general buck deer; and
- (vii) youth general any bull elk.
- (h) Any person who draws one of the following permits is not eligible to draw a once-in-a-lifetime permit:
- (i) a premium limited entry, limited entry or Cooperative Wildlife Management unit buck deer;
- (ii) a premium limited entry, limited entry, or Cooperative Wildlife Management unit bull elk; or
- (iii) a limited entry or Cooperative Wildlife Management unit buck pronghorn.
- (i) If any permits listed in Subsection (h)(i) through (h)(iv) remain after the big game drawing after all choices have been evaluated separately for residents and nonresidents, a second evaluation will be done allowing cross-over usage of remaining resident and nonresident permit quotas.
- (j) A youth may apply in the drawing for general buck deer as provided in R657-5-27(4), and for youth general any bull elk as provided in R657-5-46.
- (i) Youth hunters who wish to participate in the youth drawing must:
- (A) submit an application in accordance with Section R657-5-24; and
- (B) not apply as a group.
- (ii) Youth applicants who apply for a general buck deer permit as provided in this Subsection will automatically be considered in the youth drawing based upon their birth date.
- (iii) Preference points shall be used when applying.
- (iv) Any reserved permits remaining and any youth applicants who were not selected for reserved permits shall be returned to the general buck deer drawing.

KEY: wildlife, permits

Date of Enactment or Last Substantive Amendment: none/new

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